(21)

No. 03-892
Title: Commissioner of Internal Revenue, Petitioner
v.
John W. Banks, II
Docketed: December 19, 2003
Lower Ct: United States Court of Appeals for the Sixth Circuit
Case Nos.: (01-2171, 01-2177)
Decision Date: September 30, 2003
Questions Presented

~~Date~~	~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~~~
Dec 19 2003	Petition for a writ of certiorari filed. (Response due January 20, 2004)
Jan 14 2004	Waiver of right of respondent John W. Banks, II to respond filed.
Jan 21 2004	DISTRIBUTED for Conference of February 20, 2004.
Jan 30 2004	Response Requested . (Due February 27, 2004)
Feb 27 2004	Brief of respondent John W. Banks, II in opposition filed.
Mar 10 2004	DISTRIBUTED for Conference of March 26, 2004.
Mar 11 2004	Reply of petitioner Commissioner of Internal Revenue filed. (Distributed)
Mar 29 2004	Petition GRANTED. This case is consolidated with No. 03-907 CIR v. Banaitis and a total of one hour is allotted for oral argument.
May 6 2004	Extension of time within which to file the joint appendix and petitioner's brief on the merits to and including June 11, 2004. VIDED
Jun 11 2004	Brief amici curiae of Professor Gregg D. Polsky and Professor Brant J. Hellwig filed. VIDED.
Jun 11 2004	Joint appendix filed. VIDED.
Jun 11 2004	Brief of petitioner Commissioner of Internal Revenue filed. VIDED.
Jun 28 2004	Extension of time within which to file respondent's brief on the merits to and including August 18, 2004. VIDED
Aug 16 2004	Brief amicus curiae of Stephen B. Cohen filed. VIDED.
Aug 16 2004	Brief amici curiae of Kenneth Gideon, et al. filed. VIDED.
Aug 17 2004	Brief amici curiae of Mountain States Legal Foundation, et al. filed. VIDED.
Aug 17 2004	Brief amicus curiae of Oregon Trial Lawyers Association filed. VIDED.
Aug 18 2004	Brief of respondent John W. Banks, II filed.
Aug 18 2004	Brief amicus curiae of Taxpayers Against Fraud Education Fund filed. VIDED.
Aug 18 2004	Brief amicus curiae of Equal Employment Advisory Council filed. VIDED.
Aug 18 2004	Brief amici curiae of Lawyers' Cmmittee for Civil Rights Under Law, et al. filed. VIDED.
Aug 18 2004	Brief amicus curiae of Association of Trial Lawyers of America filed. VIDED.
Aug 18 2004	Brief amici curiae of National Employment Lawyers Association, et al. filed. (VIDED)
Aug 18 2004	Brief amicus curiae of Charles Davenport filed. VIDED.
Aug 18 2004	Motion to allow James R. Carty to argue pro hac vice filed by respondent.
Aug 27 2004	Motion for additional time to argue and for divided argument filed by respondents. (VIDED)
Sep 1 2004	SET FOR ARGUMENT Monday, November 1, 2004.
Sep 10 2004	Motion to allow David B. Salmons to argue pro hac vice filed by the Solicitor General.

	(VIDED)
Sep 15 2004	CIRCULATED.
Sep 21 2004	Record received from U.S.C.A. - 6th Circuit. (1 binder)
Sep 22 2004	Reply of petitioner Commissioner of Internal Revenue filed. VIDED. (Distributed)
Sep 24 2004	Record received from U.S. Tax Court. (1 folder, 1 box)
Sep 28 2004	Motion for additional time to argue by respondent The motion of respondents for divided argument is granted. The motion of respondents for additional time for oral argument is denied.
Sep 28 2004	Motion to allow David B. Salmons to argue pro hac vice GRANTED.
Sep 28 2004	Motion to allow James R. Carty to argue pro hac vice GRANTED.
Oct 22 2004	Supplemental brief of respondents John W. Banks, II and Sigitas Banaitis filed. VIDED. (Distributed) (TBP)
Oct 25 2004	Supplemental brief of petitioner Commissioner of Internal Revenue filed. VIDED. (Distributed)
Nov 1 2004	Argued. For petitioner: David B. Salmons, Assistant to the Solicitor General, Department of Justice, Washington, D.C. (pro hac vice.) For respondent Banaitis: Philip N. Jones, Portland, Ore. For respondent Banks: James R. Carty, Los Angeles, Calif. (pro hac vice.)